

NPDES PERMIT AND WASTE DISCHARGE REQUIREMENTS FOR CONCENTRATED ANIMAL FEEDING
OPERATIONS (CAFOS) BOARD ORDER NO. 2008-0800

WHAT REQUIREMENTS WERE UPDATED?

Most changes included on the existing general Board Order No. 2008-0800 are based on federal regulatory revisions. Based on these revisions the existing permit includes:

- Definitions of key terms included in the permit (AFO, CAFO, Agricultural Stormwater, and other key terms)
- identifies which CAFOs must apply for permits
- Specifies that land application discharges, other than agricultural stormwater, are subject to NPDES requirements
- Mandates that all permitted CAFOs applying manure to land must develop and implement a nutrient management plan (NMP)
- Finalizes effluent guidelines to establish performance expectations for existing and new sources for production and land application areas
- Establishes requirements for transferring manure, litter, and wastewater to third parties
- Identifies record keeping requirements for production and land application areas
- Requires submission of an Annual Report

WHICH CAFOS ARE COVERED?

CAFOs previously regulated under Board Order No. 01-800 are automatically enrolled under the newly adopted general Board Order 2008-0800, unless they file an application to be covered under an individual Board Order.

Existing Order covers all CAFOs (Feedlots, dairies) that may discharge when precipitation causes an overflow, and the overflow is from a structure that is properly designed, constructed, operated, and maintained. The Order provides upset provisions that can protect enrollees from legal liability for discharges caused by emergencies or natural disasters.

For CAFOs not previously regulated under Board Order No. 01-800, if the new CAFO meets the requirements of the new general Board Order, the Executive Officer will provide the CAFO with a written authorization to comply with the provisions stipulated on the new Board Order requirements. To obtain coverage under this Permit, the CAFO must submit the items identified below:

- Completed Notice of Intent (NOI) Form. The NOI form is available on the internet at http://www.epa.gov/npdes/pubs/cafo_fedrgrstr_form2b.pdf. the Notice of Intent should be submitted within 60 days of Permit adoption
- Pay first annual fee
- Develop Engineered Waste Management Plan (EWMP)
- Any other information deemed necessary by the Executive Officer

Unpermitted CAFOs are liable for any discharge regardless of the cause.

WHAT ARE THE NEW RECORDKEEPING REQUIREMENTS?

This is a summary of the records that operators must keep to comply with the stipulations on Board Order No. R7-2008-0800 (effective June 25, 2008). Operators shall be familiar with the contents of the whole Board Order to learn all of the current requirements. A copy of the Order is available on the Internet at <http://www.waterboards.ca.gov> or by contacting me at 760-776-8967. A copy of all the required records shall be kept on site at the permitted facility for at least 5 years from the date they are created and made available to the Regional Water Board or its designee upon request.

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ENGINEERED WASTE MANAGEMENT PLAN (EWMP)

- ☐ An EWMP must be developed and approved by the Regional Board.
- ☐ Keep a copy of the approved EWMP on site and be familiar with its contents.

PRODUCTION AREA VISUAL INSPECTIONS

- There must be no discharge of manure, litter, or process wastewater pollutants into waters of the U.S. from the production area except where: Precipitation causes an overflow from a production area that is designed, constructed, operated, and maintained to contain all manure and wastewater including the runoff and direct precipitation from a 25-year, 24-hour storm event, and the production area is operated in accordance with certain required additional measures.
- Weekly visual inspections of storm water and wastewater diversion structures and manure and wastewater containment structures
- Daily visual inspections of all water lines
- Corrective actions to address deficiencies
- No disposal of mortalities in process wastewater system and mortality handling that prevents pollutant discharge to surface water
- Record keeping requirements for the production area.

STORM WATER MANAGEMENT STRUCTURE INSPECTIONS LOG

- ☐ All containment structures shall be inspected every week, this includes but is not limited to the inspection of storage ponds, berms, and wastewater distribution lines.
- ☐ All containment structures shall be inspected daily during storm events greater than ½ inch of rain in 24 hours.
- ☐ Records must include:
 - ✓ The wastewater depth in each pond and impoundment.
 - ✓ The amount of freeboard for each pond and impoundment.
 - ✓ Any action you took to correct problems you found during the weekly inspections.
 - ✓ The approximate time and duration of any storm-related, off-property, discharge of contaminated storm water.

WATER LINE INSPECTIONS LOG

- ☐ All water lines shall be inspected daily.
- ☐ Records must include:
 - ✓ Any action you took to correct problems you found during the inspections.

MANURE TRANSFER RECORDS

The Discharger shall record each manure-hauling event on a manure tracking manifest form. These records shall be submitted with the annual report each time you transfer manure or wastewater off of the permitted facility. Manure can not be stored on the corrals more than 180 days.

MANURE TRACKING MANIFEST

- Requirements relating to transfer of manure or process wastewater to other persons
- Must provide recipient with the most current nutrient analysis
- CAFOs that transfer all manure to third parties must still do a manure nutrient analysis and must keep records of:
 - Date of transfer
 - Name and address of recipient
 - Approximate amount transferred
 - Copies submitted with annual report

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MANURE NUTRIENT ANALYSES

- ☐ Each time you transfer manure or wastewater off of the permitted facility, you must provide the recipient with the results of the most current nutrient analysis.
- ☐ The most current nutrient analysis must be no more than one year old.
- ☐ Keep the results of the manure nutrient analyses with your facility records.

WHAT IS IN THE ANNUAL REPORT?

By January 15 of each year, the Discharger shall submit an Annual Report for the previous calendar year. The report must be signed as required. Also, the Discharger shall attach a cover letter to the Annual Report. The information contained in the cover letter shall clearly identify violations of the WDRs and report any noncompliance that occurred during the year. Further, the cover letter shall discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. The Annual Report is formed by three parts and the certification statement page.

If no manure is applied on-site and the manure is transferred to third party; Part A (General Information Reporting) shall be reported

In addition to Part A, Part B (Composting Reporting) shall be submitted if the Permittee composts manure on-site

Part A and Part C (Nutrient Management Plan Reporting) shall be submitted if the Permittee spreads any amount of raw manure on land under their control

ANNUAL REPORT

- ✓ number/type of animals
- ✓ amount of manure/wastewater generated
- ✓ amount of manure/wastewater transferred
- ✓ land application acres covered by the NMP
- ✓ land application areas used in the previous 12 months
- ✓ summary of production area discharges
- ✓ Copies of manure tracking manifests
- ✓ Annual summary report of CAFO storm water management structure inspections

WHAT ARE THE RECORDKEEPING REQUIREMENTS FOR MY OPERATION?

If no manure is applied on-site and the manure is transferred to a third party; need to comply with the above mentioned recordkeeping requirements.

If the permittee composts manure on-site in addition to above mentioned requirements, complete the composting inventory log.

Permittee that spreads any amount of raw manure on land under their control in addition to the above requirements; must develop and implement NMP for land application of manure

- Develop and implement an Engineered Waste Management Plan

NUTRIENT MANAGEMENT PLAN (NMP)

- ☐ If you apply manure, litter, or process wastewater to croplands that you own or control, you must develop and implement a NMP that is approved by the Regional Board.

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Minimum elements of the Nutrient management Plan

- ✓ Conservation practices
 - ✓ Manure/soil testing
 - ✓ Protocols for proper land application
 - ✓ Implementation records
 - ✓ Ensure adequate storage capacity for manure and wastewater.
 - ✓ Proper management of dead animals
 - ✓ Keep confined animals out of streams and other waters of the United States.
 - ✓ Handle and dispose of chemicals properly to prevent contaminated discharges.
 - ✓ Implement conservation practices to control nutrient runoff.
 - ✓ Sample and analyze manure, wastewater, and soils for nutrient content.
 - ✓ Apply manure and wastewater to croplands at agronomic rates.
- Annual manure analysis, soil analysis every 5 years

Deadline to develop NMP is December 2008

The NMP can be developed by anyone

Regional Board need to approve and provide NMP for public review

NMP needs to be implemented by 2/27/2009

EFFLUENT LIMITATIONS GUIDELINES FOR NEW SOURCES

- same as for existing sources except:
100-year, 24-hour design standard

WHAT TO DO IF YOU HAVE A DISCHARGE

In general, a discharge is allowed, or authorized, if:

- ☐ The discharge is caused by precipitation; flows in excess of a 25-year, 24-hour storm event
- ☐ An accepted EWMP is fully implemented; and,
- ☐ The facility is in compliance with the Effluent Limitations of the Order

If you have an authorized discharge

1. Keep a record of the approximate time and duration of the discharge.
2. Include a summary of all discharges in your Annual Summary Report of CAFO Weekly Storm Water Management Inspections.

If you have an unauthorized discharge

1. Notify the Regional Board by telephone within 24 hours (760-776-8967)
2. Submit a written report to the Regional Board within 2 weeks. The report must include:
 - ✓ The approximate date and time of the discharge;
 - ✓ The estimated flow rate and duration of the discharge;
 - ✓ The type and source of the waste discharge; and,
 - ✓ A time schedule and plan for corrective actions to prevent the discharge from happening again.

All the documentation, reports must be signed as required and shall be submitted to the Regional Board, at the following address:

California Regional Water Quality Control Board
Colorado River Basin Region
73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260
Attn: Jose Gpe. Figueroa-Acevedo